



social development

Department:
Social Development
REPUBLIC OF SOUTH AFRICA

Private Bag X901, Pretoria, 0001

Enquiries: A Mbodla, Tel No: (012) 312 7076, Email: AndiswaM@dsd.gov.za

Sir/Madam

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO BE AN IMPLEMENTING PARTNER FOR THE EUROPEAN UNION FUNDED DSD GENDER EQUALITY AND WOMEN EMPOWERMENT (GEWE) PROJECT

1. BID No: **GEWE:01/2024**
2. Closing Date: **12 March 2024 at 15:00pm**
3. **Compulsory briefing session on 29 February 2024 11:00am**
4. The following documents form part of this invitation for a proposal:
 - SBD1: Invitation to bid
 - SBD3.3: Pricing Schedule
 - SBD4: Declaration of Interest
 - SBD6.1: Preference points Claim Form
5. **All the documents accompanying this invitation must please be completed in detail, where applicable and returned with your Bid.**
6. Please make sure that your bid reaches this office before the closing time and date
7. When submitting your bid the following information must appear on the sealed envelope:
 - i. Name and address of the Bidder
 - ii. Bid number
 - iii. Closing Date
8. This envelope can be placed in the Bid box in the foyer at HSRC Building, 134 Pretorius Street, Pretoria

Kind regards

DIRECTOR: SUPPLY CHAIN MANAGEMENT

DATE: 19/02/2024



social development

Department:
Social Development
REPUBLIC OF SOUTH AFRICA

Private Bag X 901, Pretoria 0001, 134 Pretorius Street, HSRC Building, Pretoria

Tel (012) 312 7500, Toll Free 0800 60 10 11, www.dsd.gov.za

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO BE AN IMPLEMENTING PARTNER FOR THE EUROPEAN UNION FUNDED DSD GENDER EQUALITY AND WOMEN EMPOWERMENT (GEWE) PROJECT

1. Purpose

The purpose of the terms of reference is to appoint a service provider to be an implementing partner for the DSD European Union funded Gender Equality and Women Empowerment (GEWE) Project for a period of 24 months.

2. Project Name

The DSD Gender Equality and Women Empowerment (GEWE) Project.

3. Background

The Department of Social Development (DSD) as the lead and coordinating Department for the interdepartmental and intersectoral Victim Empowerment Programme facilitates the development, implementation and monitoring & evaluation of legislation, policies, programmes and services for victims of crime and violence. DSD is also leading and coordinating the implementation of pillar four of the National Strategic Plan on Gender-Based Violence and Femicide. DSD is mandated to implement initiatives to ensure that survivors of gender based violence have access to appropriate and sensitive response, care and support that facilitate immediate containment, healing and mental and physical well-being. Furthermore, the DSD is expected to coordinate the development and implementation of the minimum core package of services in order to prevent and respond to gender based violence and femicide.

The DSD has been allocated funding from the European Union funded Gender Equality and Women Empowerment (GEWE) Programme in South Africa. The overall objective of this GEWE is to improve the State's implementation capacity to deliver intersectoral psychosocial support services as well as response, care support and healing services to address the social and economic needs of women and girls. The DSD has prioritized the following specific objectives under this project:

- 3.1 Strengthen sector coordination to improve service delivery to GBV victims through implementation of a GBV Integrated Service Delivery.
- 3.2 Improve the provision of the minimum core package of services including trauma intervention services to victims of within the District Development Model.
- 3.3 Economic empowerment of victims to ensure self-reliance.
- 3.4 Support the provision of shelters to save lives of GBV victims.
- 3.5 Evaluate select GBVF prevention interventions in the country to learn best practices and apply lessons learnt from evaluations.

4. Problem statement and motivation

- 4.1 The Constitution of South Africa provides an enabling framework that has guided the introduction of policies and laws to enforce transformation, non-discrimination, non-sexism and equality for women. The South African government has adopted several progressive legislative and policy frameworks in committing itself to achieving gender equality and the empowerment of women in line with several global initiatives.
- 4.2 However, despite the presence of good policy and legislative framework, women and girls are still subjected to discrimination, economic, social and political exclusion; gender based violence and many other problems. Black African women are worst affected by poverty and unemployment with 41.7% of females living below lower-bound poverty line. Although an increase number of women participate in the economy, female participants have harder

time finding a job. Gender Based Violence is arguably one of the most perilous challenges that South Africa is currently facing.

- 4.3 The specific problems that are being addressed by this initiative include lack of capacity for inter-agency collaboration, programme integration, and implementation of the country's multi-sectoral programmes and strategies to respond to Gender Based Violence. It also addresses the absence of a defined core package of interventions focused on prevention and response to gender based violence and femicide. As well as lack of evidence based gender based violence programmes.

5. Scope of work

The service provider is expected to have the capacity to manage the national project and facilitate the overall implementation of the five key result areas in line with the approved business plan as follows:

- 5.1 To develop a GBV integrated service delivery model that strengthens relationships, networks and referrals across service providers facilitating efficient delivery of minimum core package of services in GBVF intervention spaces. This includes development of the integrated service delivery model specific to GBV; develop and implement a financing strategy for social development services that include funding norms and standards; pilot the integrated service delivery model in three provinces through the three Khuseleka One Stop Centres; develop referral pathways protocols for service provision.
- 5.2 To escalate responsiveness to the needs of communities through the provision of the GBV minimum package of services including trauma and healing services within the District Development Model in the identified 30 GBV hotspots. This includes finalise and publish the minimum package of services; finalise costing of the minimum package of services; develop community based response strategies, protocols and interventions; capacity building on provision of services including trauma healing interventions; provide the minimum package by social services practitioners including the

100 GBV ambassadors; facilitate linkages, referrals of adolescents to teenage parenting programmes in schools through active participation in the Integrated School Health Programme by GBV ambassadors

- 5.3 To pilot the provision of economic empowerment activities as an element of reintegration and aftercare services for GBV victims within Khuseleka One Stop Centres selected shelters and treatment centres. This includes forging partnership with TVET Colleges, SETAs for skills development; conduct training on prioritised skills and trade vocational programmes; facilitate placement of trained beneficiaries and follow-ups, facilitate linkages of women in shelters to existing government women empowerment programmes.
- 5.4 To support the operations of four state owned shelters for victims of GBV in four districts which are without sheltering services. Facilitate the finalization of the acquiring suitable buildings fit for shelters between Department of Public Works and Provincial DSD in the four districts without shelters; Installation of equipment to make the shelters are ready for accommodation of GBV victims; identification of CSOs in each district to manage the operation of the sheltering services in line with the relevant policies; provision of shelter services and minimum package of services for victims of GBV in the four shelters; develop a sustainability plan for the four shelters.
- 5.5 To conduct impact evaluations for two GBVF prevention programmes including the GBVF ambassadors programme, to apply the lessons learned and consequently strengthen GBVF interventions in the country.

6. General Conditions

- 6.1 The general conditions of contract as prescribed by the National Treasury will be applicable in all instances.

7. Outputs/ Deliverables

The preferred service provider is expected to:

- 7.1 Provide a project inception report.
- 7.2 Submit the costed project plan covering all the activities with timeframes.
- 7.3 Submit monthly progress reports.

- 7.4 Submit annual progress reports in line with reporting timelines as stipulated in the contract.

8. Time Frames

- 8.1 The project is planned to be conducted over a period of 24 months from the date of signing the contract.

9. Skills, Knowledge and Experience Required

- 9.1 The service provider must have adequate project management skills.
- 9.2 The service provider must have adequate financial management skills
- 9.3 The service provider must have adequate qualified human resources
- 9.4 The service provider must have adequate knowledge of the Victim Empowerment and Gender Based Violence Sector.
- 9.5 The service provider must have adequate experience in the VEP and Gender Based Violence Sector.
- 9.6 The service provider must have an understanding of the Public Finance Management Act, Treasury Regulations and Division of Revenue Act.
- 9.7 The service provider must have knowledge and understanding of the National Strategic Plan for Gender Based Violence and Femicide.

10. Bid Proposal

The comprehensive proposal submission should include:

- 10.1 A detailed plan reflecting project time-frames, costing and outputs.
- 10.2 Profile of the including a description of similar work undertaken.
- 10.3 Number, names and resumes (abbreviated CVs) of the persons assigned to the project.
- 10.4 A summary of the roles, responsibilities and time spent by each person on this project.
- 10.5 The names and the contact numbers of references where similar work was undertaken.
- 10.6 The cost structure should be inclusive and as detailed as possible.

- 10.7 The service provider is expected to enter into a contract with the DSD based on the proposal.
- 10.8 A workplan indicating timeframes should be provided with the proposal.
- 10.9 Progress will be monitored monthly based on the workplan and time frames provided by the service provider and approved by the DSD.

11. Special conditions

- 11.1 The Department of Social Development (DSD) reserves the right to award work to any of suitable service provider.
- 11.2 The Department reserve the right not to award the contract should it deem fit not to award.
- 11.3 The Department reserves the right to appoint an independent auditor for financial auditing of the appointed service provider(s).
- 11.4 The successful service providers will be paid in tranches in line with the milestones set out in the project plan or as mutually agreed by the Department and service provider.
- 11.5 Payment will be effected within 30 days of receiving satisfactory progress reports as per contract signed.

12. Proprietary rights

- 12.1 DSD shall become the owner of all information, documents, advice, and reports collected and compiled by the service providers to be appointed.
- 12.2 The copy rights of all documents and reports compiled by the service provider will vest in the DSD and may not be reproduced, distributed or made available without the written consent and approval of the DSD.
- 12.3 All information, documents, and reports must be regarded as confidential until made public by the DSD.
- 12.4 DSD shall retain intellectual property rights to all work undertaken in terms of this bid.

13. DSD roles and responsibility

- 13.1 DSD officials will be available to the successful service providers for clarity, consultation, discussion, monitoring and reporting.
- 13.2 DSD officials will provide the successful service providers with all relevant documents pertaining to the project.

14. Reporting arrangements

- 14.1 All deliverables should be submitted to the DSD. Any deliverable submitted and not accepted must be reworked and resubmitted at no additional cost.
- 14.2 The service providers will provide dedicated overall project manager for this project.
- 14.3 The comprehensive reports will be submitted by the service provider in line with project milestones as stipulated in the agreed and approved project plan.

15. Tariffs and payment

- 15.1 Payment will be effected within 30 days after receipt of satisfactory detailed invoice from the successful service provider.
- 15.2 Payment will be in accordance with the completion of work to the satisfaction of the DSD based on the milestones for the project as agreed to and signed off.

16. Evaluation of the proposals

- 16.1 The evaluation of the proposals/bids will be conducted in two phases:
 - 16.1.1 Firstly, the proposals will be evaluated on functionality. The evaluation panel will allocate points on scale of 1-5 in respect of functionality according to the criteria set out in paragraph 16.4. Proposals scoring less than **65 points** in respect of functionality will be disqualified and not be evaluated further.
 - 16.1.2 Thereafter, only the qualifying bids will be evaluated in terms of the preference point system as contemplated in the Preferential Procurement Policy Framework Act of 2022 will be evaluated further.
- 16.3 Technical proposals will be evaluated on a scale of 1-5 in accordance with criteria below and the rating will be as follows:

16.4 Evaluation matrix

No	Element/criteria	1	2	3	4	5	Weight	Total
16.4.1	Demonstrate extensive knowledge, understanding and experience in the implementation VEP and Gender Based Violence related projects. 1 = No evidence that bidder has undertaken similar projects. 2 = Bidder has successfully undertaken 1or 2 similar projects. 3= Bidder has successfully undertaken 3 similar projects. 4= Bidder has successfully undertaken 4 similar projects 5 = Bidder has successfully undertaken 5 or more similar projects.						20	
16.4.2	The Bidder's profile reflects an in-depth understanding, knowledge and experience of the Social Development Sector's core mandate as it relates to the implementation of the National Strategy on Gender Based Violence and Femicide. 1= Profile does not demonstrate any of the required qualities. 2= Profile makes mention of the required qualities but not convincing.						20	

	3= Profile demonstrates a minimum of the required qualities. 4= Profile demonstrates most of the required qualities. 5= Profile demonstrates all the required qualities.						
16.4.3	Proposed methodology and approach. 1= Proposal does not meet the methodology and approach requirements set out in the TORs. 2= Proposal partially meets the methodology and approach requirements as set out in the TORs. 3= Proposal fully meets the minimum methodology and approach requirements as set out in the TORs. 4= Proposal exceeds minimum methodology and approach requirements as outlined in the TORs. 5= Proposal exceeds minimum methodology and approach requirements as set out in the TORs. The proposal further propose value - add items for the project.					20	
16.4.4	Skills, knowledge and experience. 1= Team assigned to the project does not meet the skills, knowledge and experience requirements. 2= Team assigned to the project					20	

	partially meet the skills, knowledge and experience requirements. 3= Team assigned to the project fully meet the skills, knowledge and experience requirements. 4= Team assigned to the project exceed the skills, knowledge and experience requirements. 5= Team assigned to the project exceeds the skills, knowledge and experience requirements with extra ordinary specialist training.							
	Total functionality						80	

17. Disqualification Criteria

- 17.1 Late submission of proposals
- 17.2 Failure to submit complete and sign all SBD forms. (SBD 3.3, SBD4 and SBD 6.1)
- 17.3 Failure to submit valid Tax pin
- 17.4 Failure to attend the compulsory briefing session

18. Submissions

- 18.1 Prospective bidders must submit their bids proposals in two envelopes.
- 18.2 One envelop with the technical proposal outlining in details a realistic work-breakdown and milestones including other supporting documents, completed bid forms, tax clearance certificate as issued by SARS and legal registration certificate.
- 18.3 One other envelope with financial proposal (pricing schedule) SBD 3.3 with all cost related items (cost breakdown).
- 18.4 The entire proposal should be placed on disc/ USB in a pdf format.
- 18.5 The following information must be endorsed on each envelope

Bid number:

Closing date:

Name of the Bidder:

Technical Proposal or Financial Proposal

The closing date for the submission of bids is the 12 March 2024 at 15:00

18.6 Failure to comply with these conditions of bid will result in a bid being disqualified.

18.7 Bids/Proposals must be submitted as follows:

Deposited in the Tender Box at the Foyer

HSRC Building

134 Pretorius Street

PRETORIA

18.8 **A compulsory briefing session** will be held at the Department of Social Development at 134 Pretorius Street, Pretoria on the **29 February 2024** at **11:00**. Failure to attend the briefing session will result in the bid not to be considered.

19. Enquiries

All enquiries should be directed to the Director: SCM:

Name: Mr. Zolisa Mantantana

Tel: (012) 312 7463

Email: ZolisaM@dspd.gov.za

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NATIONAL DEPARTMENT OF SOCIAL DEVELOPMENT)

BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX

SITUATED AT HSRC Building, 134 Pretorius Street, Pretoria

SUPPLIER INFORMATION

NAME OF BIDDER			
POSTAL ADDRESS			
STREET ADDRESS			
TELEPHONE NUMBER	CODE		NUMBER
CELLPHONE NUMBER			
FACSIMILE NUMBER	CODE		NUMBER
E-MAIL ADDRESS			
VAT REGISTRATION NUMBER			

	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	☐ Yes			B-BBEE STATUS LEVEL SWORN AFFIDAVIT	☐ Yes
	☐ No				☐ No

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	☐	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)
	☐	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)
	☐	A REGISTERED AUDITOR
		NAME:

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ANSWER PART B:3 BELOW]
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SIGNATURE OF BIDDER

CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)

TOTAL NUMBER OF ITEMS OFFERED

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY		CONTACT PERSON	
CONTACT PERSON		TELEPHONE NUMBER	
TELEPHONE NUMBER		FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	
E-MAIL ADDRESS			

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED--(NOT TO BE RE-TYPED) OR ONLINE
- 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- | | |
|--|--|
| 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | ☐ YES ☐ NO |
| 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? | ☐ YES ☐ NO |
| 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? | ☐ YES ☐ NO |
| 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? | ☐ YES ☐ NO |

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

PRICING SCHEDULE
(Professional Services)

BID NO: GEWE: 01/24	CLOSING TIME 15:00 ON 12 March 2024
NAME OF SERVICE PROVIDER:	

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY INCLUSIVE OF <u>VAVULE ADDED TAX</u>
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1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION	HOURLY RATE	DAILY RATE
.....	R.....	
.....	R.....	
.....	R.....	
.....	R.....	
.....	R.....	

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT
-

R.....

..... days
-

R.....

..... days
-

R.....

..... days
-

R.....

..... days

- 5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....			R.....
.....			R.....
.....			R.....
.....			R.....

TOTAL: R.....

Name of Bidder:

- 5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....			R.....
.....			R.....
.....			R.....
.....			R.....
TOTAL: R.....			

6. Period required for commencement with project after acceptance of bid
.....
7. Estimated man-days for completion of project
.....
8. Are the rates quoted firm for the full period of contract?
*YES/NO
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.
.....
.....
.....
.....

Any enquiries regarding bidding procedures may be directed to the –

Mr. Z Mantantana
Email: ZolisaM@dsd.gov.za

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....

3 DECLARATION

I, _____ the _____ undersigned,
 (name)..... in
 submitting the accompanying bid, do hereby make the following
 statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....	
Signature	Date
.....	
Position	Name of bidder

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the **80/20** preference point system.
- b) The **80/20 preference point system** will be applicable in this tender. The lowest/highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	
SPECIFIC GOALS	
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20	or	90/10
$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$	or	$Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc} 80/20 & \text{or} & 90/10 \\ P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) & \text{or} & P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) \end{array}$$

Where

- P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{max} = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is

applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Organisations which are 51% owned black people who are women	5	
Organisations which are 51% owned black people which are youth	5	
Organisations which are 51% owned by black people living in rural or underdeveloped areas or townships	5	
Organisations which are owned by People with disabilities	5	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm,

certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:
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